

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

B.P.J. by her next friend and mother, HEATHER JACKSON,

Plaintiff,

v.

WEST VIRGINIA STATE BOARD OF EDUCATION, HARRISON COUNTY BOARD OF EDUCATION, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION, W. CLAYTON BURCH in his official capacity as State Superintendent, DORA STUTLER in her official capacity as Harrison County Superintendent, and THE STATE OF WEST VIRGINIA,

Defendants,

and

LAINIEY ARMISTEAD,

Defendant-Intervenor.

Civil Action No. 2:21-cv-00316

Hon. Joseph R. Goodwin

[Proposed] Order Granting Protective Order Regarding Virtual Depositions In Light Of COVID-19 Pandemic

[PROPOSED] ORDER GRANTING PROTECTIVE ORDER REGARDING VIRTUAL DEPOSITIONS IN LIGHT OF COVID-19 PANDEMIC

Plaintiff B.P.J. by her next friend and mother, Heather Jackson, through counsel, filed a Motion for Protective Order Regarding Virtual Depositions in Light of COVID-19 Pandemic on January 6, 2022 (“Motion”) in the above-captioned matter. After considering the moving papers, the Court concludes that the ongoing COVID-19 pandemic constitutes good cause to require the depositions of Plaintiff, Plaintiff’s mother, and Plaintiff’s father to proceed virtually, and that Defendants will not be prejudiced by such format. Accordingly, Plaintiff’s Motion for Protective Order Regarding Virtual Depositions in Light of COVID-19 Pandemic is GRANTED.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The upcoming depositions of Plaintiff B.P.J., her mother, and her father noticed for January 19, 20, and 21, 2022, shall proceed virtually via videoconference and a remote court reporting service;
2. All individuals shall appear remotely, with the exception that one (1) defending counsel is permitted to be in the room with the witness, and during the deposition of Plaintiff B.P.J., one of B.P.J.'s parents is also permitted to be in the room.

ORDERED: _____, 2022

/s/ _____
United States District Judge